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SENATOR CUDABACK: Time.

SENATOR CHAMBERS: I...okay.

SENATOR CUDABACK: Senator Bourne, your light is not on. Did you...Senator Bourne, you may continue.

SENATOR BOURNE: Thank you, Senator Cudaback, members. So, Senator Chambers, again, what you're saying is that once they appeal...and I assume that the court would only grant the appeal if there was a legitimate grounds for such appeal.

SENATOR CHAMBERS: Well, as you know, when you file an appeal, until it is resolved, everything is held right where it is at the time you file the appeal, so the order of revocation would never take effect. That order of revocation would be stayed and the person's license would not be revoked. After the appeal was concluded, if the action went against the person, the period of revocation, contrary to what Senator Baker said, would not expire during the time of the pendency of the appeal. It takes effect after the final judgment, and then runs its full course after that point. So the revocation will take place if the person, pursuant to the final judgment, is convicted. Well, okay, so the question is that an individual is found guilty of DUI. Their license is revoked. So then at that time they can appeal the revocation.

SENATOR CHAMBERS: Yes.

SENATOR BOURNE: And the court may grant such revocation. Now, what I'm saying to you is, when they appeal, would the court hear the appeal even if there were no grounds for it?

SENATOR CHAMBERS: Well, the court wouldn't know that until the appeal is argued, until it's prosecuted. The court will not look at an appeal when you file it and say this has no merit so it's thrown out. It has to go through the appeal process. It's not like a new trial where the court that convicted you looks at it and can say, no, I'm not going to grant a new trial.